IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MRS JUSTICE T.MEENA KUMARI**

**WRIT PETITION NO : 4833 of 1995**

Between:

1 Challa Om Prakash S/o Mastan Rao
R/o R. Agraharam, Navabharat Hotel,
Guntur-4
2 Challa Maruthi S/o Mastan Rao
R/o R. Agraharam, Navabharat Hotel,
Guntur-4

**..... PETITIONERS**

AND

1 The Special. Officer,
Municipal Corporation, Guntur Dist.
2 The District Collector
Guntur Dist., Guntur
3 The Revenue Divisional Officer
Guntur Dist., Guntur

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or Order or orders more particularly one in the nature of writ of Mandamus directing the respondents herein to initiate the Land Acquisition Proceedings expeditiously for the land acquired for the laying of the road to an extent of 2064 Sq. yards situated at Door No.112/1A in Nallapadu (V), A.T. Agraharam, Guntur, Guntur Dist. and consequently direct the respondents to pay the compensation besides interest solatium and other consequential benifits provided under A.P. land Acquisition Act and to pass

**Counsel for the Petitioners: MR.Y.ASHOK RAJ**

**Counsel for the Respondents: GP FOR LAND ACQUISITION**

**The Court made the following :**

***ORAL ORDER*:**

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Petitioners submit that they are the absolute owners and exclusive possessors of the land to an extent of 2064 Sq. yards situated at D.No. 112/1A in Nallapadu village A.T. Agraharam, Guntur, which originally belong to their father.

It is their grievance that in the year 1981 the 2nd respondent acquired the land to the above extent for formation of road and on the representation made by the petitioners, the respondents agreed to pay the compensation, but they did not do so. It is further stated that pursuant to the resolution passed by the Muncipality, Gutur, the District Collector Guntur in his proceedings No. D.Dis. 397/89/B.1, dated 27.7.89 fixed the rate at Rs.180/- per Sq. yard and thereby an amount of Rs. 3,71,520/0 has to be paid to the petitioners. But the respondents have not paid the amount to the petitioners. Hence the present writ petition.

Today, when the matter is taken up for hearing, learned Government Pleader for Land Acquisition submitted that so far the land in question has not been acquired for the purpose of formation of road.

Therefore, under the above circumstances, without going into the merits of the case, I deem it appropriate to direct the petitioners to make a fresh representation to the authorities concerned for the relief,

which they sought for in this writ petition, and on any such representation being made by the petitioners, the respondents shall consider and pass appropriate orders thereon, as per law.

With the above direction, the writ petition is disposed of. No costs.

Kvsn 09-12-2004

To

1 The Special. Officer,
Municipal Corporation, Guntur Dist.
2 The District Collector

Guntur Dist., Guntur

3 The Revenue Divisional Officer
Guntur Dist., Guntur

4 Two CCs to GP For Land Acquisition, High Court buildings, Hyderabad

5 Two CDs.